

**CERTIFICATE OF SERVICE**

I, Daniel W. Levy, affirm under penalty of perjury that:

1. I am an Assistant United States Attorney for the Southern District of New York.

2. On July 18, 2008, I caused a true and correct copy of the Government's NOTICE OF MOTION and AFFIRMATION, together with the exhibits attached thereto and the Government's proposed Order, to be served by United States mail upon:

Peggy M. Cross, Esq.  
Federal Defenders of New York, Inc.  
52 Duane Street, 10th Floor  
New York, New York 10007

Counsel for Defendant Melvin Duarte

3. I declare under penalty of perjury that the foregoing is true and correct. Executed on July 18, 2008, at New York, New York.

/s/

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Daniel W. Levy  
Assistant United States Attorney  
Telephone: (212) 637-1062